

**CITY COUNCIL OF THE CITY OF SEAT PLEASANT, MARYLAND**

**Ordinance No.:** O-15-02  
**Introduced by:** City Council  
**Date Introduced:** September 3, 2014  
**First Reading:** September 3, 2014  
**Second Reading:** October 13, 2014  
**Date Adopted:** October 13, 2014  
**Date Effective:** November 9, 2014

**AN ORDINANCE concerning**

**CHAPTER 116 PARKS**

**FOR** the purpose of amending Chapter 116 (Parks) of the Code of the City of Seat Pleasant for the purposes of adding a new Article II setting forth rules and regulations for the City of *Seat Pleasant, A City of Excellence Fit and Fun Park*.

**BY** amending Chapter 116 – Parks  
Adding new Article II – Fit and Fun Park  
Code of the City of Seat Pleasant (1994 Edition, as amended)

**WHEREAS**, the Maryland Department of Natural Resources under the Program Open Space has grant funding available through its Community Parks & Playgrounds Program (the “Program”); and

**WHEREAS**, the Program provides funding to Maryland cities and towns to assist in the rehabilitation, expansion, and improvement of existing parks, create new parks, develop environmentally oriented parks and recreation projects, and purchase and install playground equipment in older neighborhoods and intensely developed areas throughout the State; and

**WHEREAS**, the Program encourages applicants to present for funding those projects that enhance the quality of life in existing spaces through the use of low-impact development techniques, materials, and management; and

**WHEREAS**, the City of Seat Pleasant has been awarded funding through the Program’s FY 2015 budget to develop an open space in the 6200/6300 block of Seat Pleasant Drive; and

**WHEREAS**, the City Council has determined that the funding awarded through the Program be allocated to creating and developing a public park to be known as the *Seat Pleasant, A City of Excellence Fit and Fun Park* (the "Park"); and

**WHEREAS**, the Park will feature fitness trail equipment, a children's play station, a picnic table, a bench, trash receptacles, and the replacement of the surrounding fence; and

**WHEREAS**, the City wishes to promote a public park that will be safe and enjoyable for the patrons thereof, and to preserve and protect the Park's natural and man-made features; and

**WHEREAS**, pursuant to § C-501(b)(33) of the Charter of the City of Seat Pleasant, the City Council has the express ordinance-making authority to establish and maintain public parks, gardens, playgrounds, and other recreational facilities and programs to promote the health, welfare, and enjoyment of the inhabitants of the City.

**SECTION 1. NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAT PLEASANT** that Chapter 116 (Parks), § 116-6 of the Code of the City of Seat Pleasant (1994 Edition, as amended) be and it is hereby amended to add a new Article II, to read as follows:

**ARTICLE II**  
**SEAT PLEASANT, A CITY OF EXCELLENCE FIT AND FUN PARK**

**§ 116-6. FIT AND FUN PARK RULES AND REGULATIONS.**

A. THE FOLLOWING ARE ADOPTED AS THE RULES AND REGULATIONS APPLICABLE TO THE SEAT PLEASANT, A CITY OF EXCELLENCE FIT AND FUN PARK:

- (1) IT IS STRONGLY RECOMMENDED THAT PARK PATRONS READ ALL INSTRUCTIONS BEFORE USING FITNESS EQUIPMENT TO AVOID INJURY
- (2) THE CITY DOES NOT ASSUME LIABILITY FOR INJURIES
- (3) PARK PATRONS SHALL BE COURTEOUS OF OTHERS WHEN USING FITNESS EQUIPMENT
- (4) ALL CHILDREN UNDER 12 MUST BE SUPERVISED BY AN ADULT WHEN USING ANY PARK EQUIPMENT
- (5) ALL FOOD AND BEVERAGES SHALL ONLY BE CONSUMED AT THE PICNIC TABLE
- (6) ALL TRASH SHALL BE DEPOSITED IN TRASH RECEPTACLES

- (7) NO PUBLIC RESTROOMS SHALL BE PROVIDED
- (8) THE PARK OPENS AT DAWN AND CLOSES AT DUSK

(9) THE FOLLOWING ARE PROHIBITED IN THE PARK:

- (A) SMOKING;
- (B) THE USE OR DISTRIBUTION OF ALCOHOL OR DRUGS;
- (C) GAMBLING;
- (D) ANIMALS;
- (E) VEHICLES, INCLUDING MOTORCYCLES, BICYCLES, MOPEDS, SCOOTERS, AND TRICYCLES;
- (F) SOLICITATION OF ANY KIND;
- (G) THE POSTING OF BANNERS, SIGNS OR FLYERS, EXCEPT FOR THE CITY OF SEAT PLEASANT ORGANIZED EVENTS;
- (H) ORGANIZED SPORTS ACTIVITIES OTHER THAN THOSE FOR WHICH THE PARK IS INTENDED AND DESIGNED;
- (I) THE DEFACING OR DESTRUCTION OF PARK EQUIPMENT OR OF THE PARK'S NATURAL FEATURES;
- (J) LOUD MUSIC;
- (K) OBSCENE OR PROFANE LANGUAGE; AND
- (L) THE DISPOSAL OF ANYTHING BEYOND THE FENCE

B. THE CITY ADMINISTRATOR OR HIS/HER DESIGNEE IS AUTHORIZED AND DIRECTED TO PLACE APPROPRIATE SIGNAGE AT THE PARK REGARDING THE RULES AND REGULATIONS SET FORTH IN SUBSECTION (A).

**SECTION 2. AND BE IT FURTHER ORDAINED BY THE SEAT PLEASANT CITY COUNCIL** that the Recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

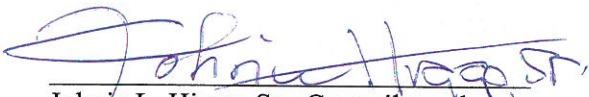
**SECTION 3. AND BE IT FURTHER ORDAINED BY THE SEAT PLEASANT CITY COUNCIL** that all other ordinances or parts of ordinances or provisions of the Code of the City of Seat Pleasant (1994 Edition, as amended) in conflict with the provisions of this

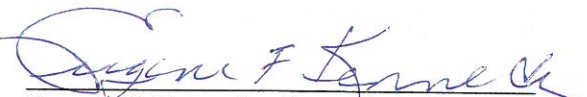
**SECTION 4. AND BE IT FURTHER ORDAINED BY THE SEAT PLEASANT CITY COUNCIL** that the title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

**SECTION 5. AND BE IT FURTHER ORDAINED BY THE SEAT PLEASANT CITY COUNCIL** that, if any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the City Council that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.


**SECTION 6. AND BE IT FURTHER ORDAINED BY THE SEAT PLEASANT CITY COUNCIL** that the City Clerk shall certify to the adoption of this ordinance, and cause the same or, to the extent permitted by the Charter, a fair summary of the same, to be published as required by law, and that this Ordinance shall become effective at the expiration of twenty (20) days following approval by the Mayor or passage by the City Council over the Mayor's veto.

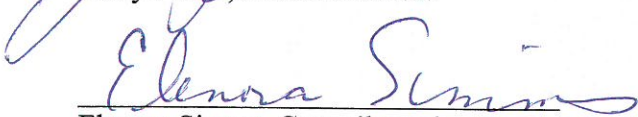
**COUNCIL OF THE CITY OF SEAT PLEASANT**

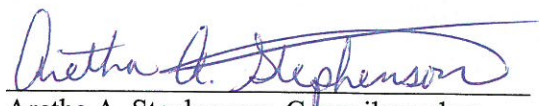
  
Johnie L. Higgs, Sr., Councilmember

  
Eugene F. Kennedy, Councilmember

  
Kelly Porter, Councilmember

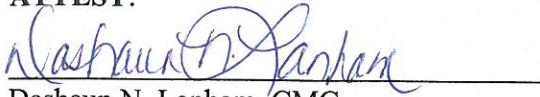
  
Gerald R. Raynor, Sr., Councilmember

  
Elenora Simms, Councilmember

  
Aretha A. Stephenson, Councilmember

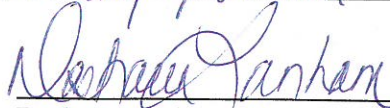
\_\_\_\_\_  
Reveral L. Yeargin, Councilmember

**ATTEST:**

  
Dashaun N. Lanham, CMC  
City Clerk

**APPROVED:**

This Ordinance was presented to the Mayor for his approval or disapproval pursuant to Section C-313 of the Charter for Seat Pleasant this 14th day of October, 2014



Dashaun Lanham  
City Clerk

In accordance with Section C-313 of the Charter for Seat Pleasant, I hereby **(APPROVE)** **(DISAPPROVE)** of this Ordinance this \_\_\_\_\_, 2014.

\_\_\_\_\_  
Eugene W. Grant, Mayor

**EXPLANATION:**

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

((Double Parenthesis)) indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.